

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2000-434-T - ORDER NO. 2000-696

AUGUST 24, 2000

IN RE: Sport Utility Vehicles and Town Cars) ORDER ON *vd*
Constitute "Luxury Vehicles" under) "LUXURY VEHICLES"
Regulation 103-102(22).)

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of whether the term "luxury vehicles" in the "limousine" definition in 26 S.C. Ann. Regs. 103-102(22) includes sport utility vehicles and town cars.

S.C. Code Ann. Section 56-3-5300 (Supp. 1999) requires, among other things, that a "charter limousine regulated by the South Carolina Public Service Commission must acquire a special license plate from the Department of Public Safety upon submission of proof that the charter limousine is certified as a "Class C Charter Limousine" by the commission." Our definition of "limousine" found at S.C. Code Ann. Regs. 103-102 (22) (Supp. 1999) states as follows: "A "Limousine" is a passenger carrier utilizing luxury vehicles and/or vans equipped to carry up to fifteen (15) passengers."

The issue has come up as to whether sports utility vehicles and town cars fall under the "luxury vehicles" portion of this definition, and thus become subject to the provisions of Section 56-3-5300 (Supp. 1999). There appear to be a number of these vehicles in use as limousines on a charter basis in various areas of South Carolina.

After due consideration, we hold that both sports utility vehicles and town cars fit into the "luxury vehicles" category. Both types of vehicles are considered to be luxury-type vehicles, in that they are costly to purchase and maintain. Both typically are rather large vehicles, and are generally built to let passengers ride in comfort. Many such vehicles, on our information and belief, provide amenities similar to those provided in the typical luxury vehicle-type limousines. Accordingly, we hold that both sports utility vehicles and town cars fit within the definition of "luxury vehicles," which appears in the Commission definition of "limousine." These vehicles therefore appear to be subject to the provisions of Section 56-3-5300 (Supp. 1999).

We also hold that Staff shall commence a rulemaking procedure to modify the definition of "limousine" in the regulation in accordance with our holding above.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Chairman

ATTEST:

Executive Director

(SEAL)